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ORDER OF DISMISSAL WITHOUT PREJUDICE -- 1

FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 26, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

LUIS ANDRE PEREZ,

Plaintiff,

v.

ANDREA LAUREN PORTER, THE **DEPARTMENT OF CORRECTIONS and THE UNITED** STATES OF AMERICA,

Defendants.

NO: 2:22-CV-00087-RMP

ORDER OF DISMISSAL WITHOUT **PREJUDICE**

BEFORE THE COURT is Plaintiff's Letter construed as a Motion to Withdraw Civil Rights Complaint. ECF No. 8. The Court has not ruled on Plaintiff's application to proceed in forma pauperis, ECF No. 2. Because Defendants have neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

ACCORDINGLY, IT IS ORDERED:

All claims and causes of action in this matter are **DIMSISSED** without prejudice and without costs or fees to any party. All pending motions are **DENIED** as moot and all hearing dates shall be STRICKEN.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and Judgment accordingly, provide copies to Plaintiff, and CLOSE the file. **DATED** May 26, 2022. s/Rosanna Malouf Peterson ROSANNA MALOUF PETERSON Senior United States District Judge

ORDER OF DISMISSAL WITHOUT PREJUDICE -- 2